Metadata & Provenance Statement

Title: Tracepoint Foresight Brief: Profiled by Proxy

Creator: Audrey C., Trace DNA Lab

Description: This foresight brief, authored by Audrey C. of Trace DNA Lab, examines the potential role of AI-assisted behavioral profiling in the early investigative narrative of the Bryan Kohberger case. Originally posted as a public warning in April 2024, the brief outlines how predictive logic may have influenced suspect identification in the absence of early forensic evidence. Drawing on investigative journalism, legal analysis, and forensic systems expertise, it argues for transparent audit trails, epistemic fairness, and the protection of innocence in an age of algorithmic suspicion. Includes embedded citations, terms of reuse, and a call for independent oversight in predictive forensics.

Subject Tags: AI profiling, forensic science, predictive policing, Kohberger, algorithmic bias, investigative foresight

Media Type: Text

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Tracepoint Foresight Brief
Profiled by Proxy: AI Predictive Systems and the Risk of Algorithmic Misidentification in the Kohberger Case

Author: Audrey C., Forensic Systems Strategist | Trace DNA Lab

Date of Original Insight: April 6, 2024

Post Reference: Original X.com thread

I. Foreseeable Harm, Public Silence
In early April 2024, I publicly warned that predictive algorithmic profiling which has already been critiqued in systems like LAPD's PredPol. Algorithms might have silently shaped the investigation into Bryan Kohberger. Without direct disclosure, I questioned how law enforcement (LE) identified suspects in absence of immediate forensic evidence. I posited that AI-driven behavioral modeling could have filled that gap, substituting prediction for proof.

I was not speculating in isolation. My concern was rooted in then-existing academic and investigative journalism, including:
• WIRED's 2020 report on algorithmic crime prediction
• The Markup's 2023 exposé on systemic bias in predictive policing
• The Guardian and Vice coverage on flawed AI deployment in public safety

• Constitution Center's legal analysis on "Profile-Driven Cloud Access" and hit-rate bias

II. Core Claim: AI-Epistemic Structures Are Operating
Even in the absence of declared AI deployment, I argued that the public logic of guilt surrounding Kohberger followed a distinctly algorithmic arc:
• Compression of uncertainty into behavioral prediction
• Substitution of forensic evidence with trait-based proxies
• Amplification of social suspicion through coordinated narrative channels (potentially including AI-generated bot responses and distraction agents)

III. Ethical Position: Protecting Fairness in the Age of Predictive Forensics
This foresight matters. If the Kohberger investigation was influenced by AI-predicted behavioral fit—prior to or even in place of conclusive forensic anchoring—it raises profound questions about:
• Presumption of innocence in AI-influenced policing
• The right to contest algorithmic suspicion in court
• Whether law enforcement now deploys covert predictive tools with no public audit trail

IV. Foresight as Forensic Contribution
As a forensic justice reformer, I claim this insight as a matter of public interest and professional innovation. My post dated April 6, 2024 demonstrated anticipatory awareness of how AI systems (and their narrative residues) may reshape investigative and prosecutorial logic. This foresight stands not only as critique, but as a call for:
• Independent oversight into predictive policing
• Transparent audit trails for algorithm-influenced investigations
• Cross-disciplinary defense teams trained in AI bias detection

V. Citation Statement
This brief may be cited in legal filings, forensic reviews, AI ethics reports, and investigatory journalism under:

Audrey C., "Profiled by Proxy," Trace DNA Lab (Apr. 6, 2024). Original thread: https://x.com/tracednalab/status/1776635289559024092?s=46

VI. From Probable to Presumed: How Predictive Profiling May Have Collapsed Investigative Possibility
If AI-assisted behavioral profiling played a role in identifying Bryan Kohberger, its most serious impact may not be what it included — but what it excluded.

The newly unsealed records and timeline inconsistencies show that:
• Multiple alternative leads and suspects were available but underexplored;
• Key forensic evidence (e.g., Unknown Male DNA samples, Blood) were either not tested or not disclosed;
• Witness timelines and known acquaintances were deprioritized despite early relevance.

This pattern suggests that a behavioral "fit" may have prematurely narrowed the investigative field — reducing systemic attention to other viable theories of the case.

If a predictive model informed that narrowing:
• It signals a fundamental shift in how suspicion is assigned;
• It undermines the standard of "follow all reasonable leads" in criminal investigation;
• It may constitute investigative tunnel vision shaped by machine logic — not grounded in evidence-based inquiry.

Forensic fairness demands that investigative closures be earned through rigorous exclusion of alternatives, not just statistical correlation with a suspect's traits.

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Citations:

1. Audrey C., "Profiled by Proxy," Trace DNA Lab (Apr. 6, 2024). Original thread: https://x.com/tracednalab/status/1776635289559024092?s=46

2. Bhuiyan, J., Levin, S. (8 NOV 2021). "LAPD ended predictive policing programs amid public outcry. A new effort shares many of their flaws". The Guardian. https://amp.theguardian.com/us-news/2021/nov/07/lapd-predictive-policing-surveillance-

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6. Slobogin, C., Milton, R., (2025) National Constitution Center. (n.d.). Policing and the cloud. Constitution Center. https://constitutioncenter.org/news-debate/special-projects/digital-privacy/policing-and-the-cloud

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Post

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How Cops Are Using Algorithms to Predict Crimes | WIRED youtu.be/7lpCWxlRFAw?si... via @YouTube

Bryan is an outsider/a minority&targeted. Using bias data- the algorithms&probabilities will be bias. I wonder how LE knew the Banfield boys were out or how that guy stole the sign.

How Cops Are Using Algorithms to Predict Crimes | WIRED
WIRED · 132K views · 5 years ago

11:37 AM · Apr 6, 2024 · **85** Views

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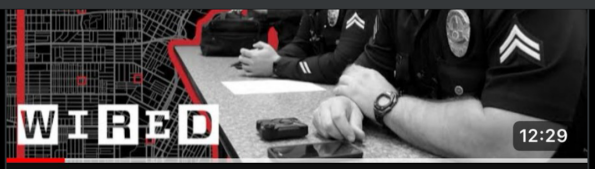

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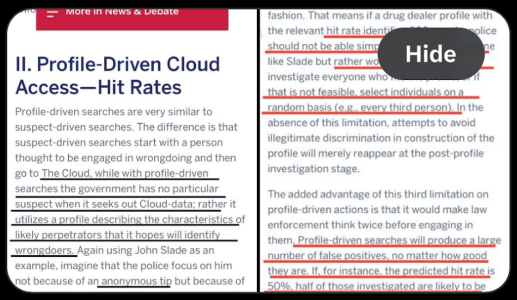
Audre... @TraceDNA... · Apr 6, 2024

Sound familiar?



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II. Profile-Driven Cloud Access—Hit Rates

Profile-driven searches are very similar to suspect-driven searches. The difference is that suspect-driven searches start with a person thought to be engaged in wrongdoing and then go to The Cloud, while with profile-driven searches the government has no particular suspect when it seeks out Cloud-data; rather it utilizes a profile describing the characteristics of likely perpetrators that it hopes will identify wrongdoers. Again using John Slade as an example, imagine that the police focus on him not because of an anonymous tip but because of

fashion. That means if a drug dealer profile with the relevant hit rate identifies [illegible] police should not be able simply [illegible] like Slade but rather would [illegible] investigate everyone who [illegible] that is not feasible, select individuals on a random basis (e.g., every third person). In the absence of this limitation, attempts to avoid illegitimate discrimination in construction of the profile will merely reappear at the post-profile investigation stage.

The added advantage of this third limitation on profile-driven actions is that it would make law enforcement think twice before engaging in them. Profile-driven searches will produce a large number of false positives, no matter how good they are. If, for instance, the predicted hit rate is 50%, half of those investigated are likely to be

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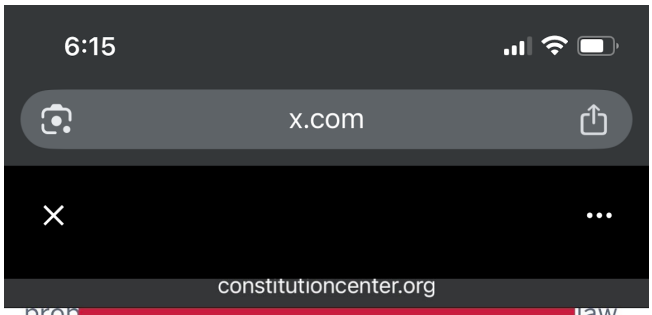

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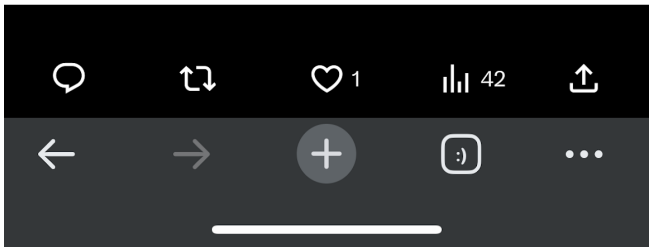
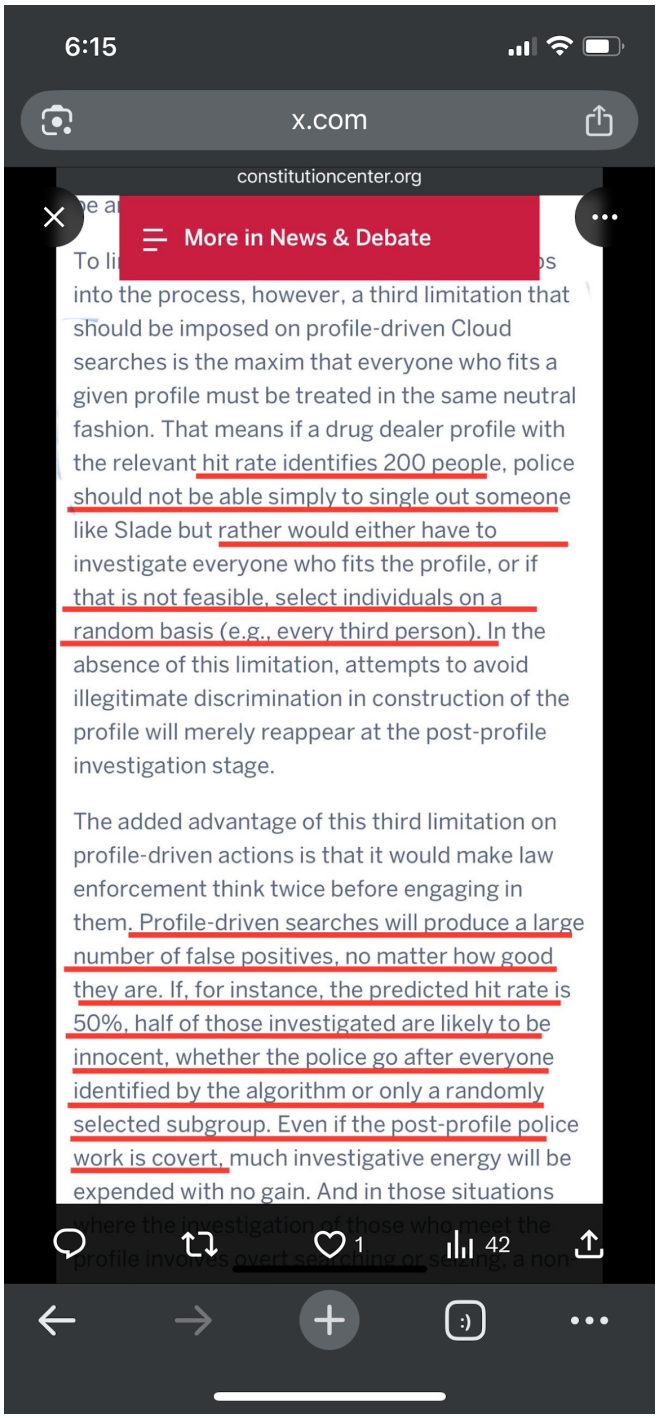
II. Profile-Driven Cloud Access—Hit Rates

Profile-driven searches are very similar to suspect-driven searches. The difference is that suspect-driven searches start with a person thought to be engaged in wrongdoing and then go to The Cloud, while with profile-driven searches the government has no particular suspect when it seeks out Cloud-data; rather it utilizes a profile describing the characteristics of likely perpetrators that it hopes will identify wrongdoers. Again using John Slade as an example, imagine that the police focus on him not because of an anonymous tip but because of a drug dealer profile developed with the help of computer scientists and criminologists. Such a

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into the process, however, a third limitation that should be imposed on profile-driven Cloud searches is the maxim that everyone who fits a given profile must be treated in the same neutral fashion. That means if a drug dealer profile with the relevant hit rate identifies 200 people, police should not be able simply to single out someone like Slade but rather would either have to investigate everyone who fits the profile, or if that is not feasible, select individuals on a random basis (e.g., every third person). In the absence of this limitation, attempts to avoid illegitimate discrimination in construction of the profile will merely reappear at the post-profile investigation stage.
The added advantage of this third limitation on profile-driven actions is that it would make law enforcement think twice before engaging in them. Profile-driven searches will produce a large number of false positives, no matter how good they are. If, for instance, the predicted hit rate is 50%, half of those investigated are likely to be innocent, whether the police go after everyone identified by the algorithm or only a randomly selected subgroup. Even if the post-profile police work is covert, much investigative energy will be expended with no gain. And in those situations
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Metadata and Legal Disclaimer

Disclaimer: This brief presents a forensic-ethical analysis based on publicly available information, professional reasoning, and speculative frameworks designed to support transparency, accountability, and systemic foresight. No claims of definitive fact or legal accusation are made. The author asserts this work as protected opinion, research, and foresight under relevant free expression protections.

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